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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,589	01/10/2002	Levent Sasmazel	501008-A-01-US (Sasmazel)	6338
7590 07/28/2005 Ryan, Mason & Lewis, LLP 90 Forest Avenue Locust Valley, NY 11560			EXAMINER ELMORE, JOHN E	
			ART.UNIT 2134	PAPER NUMBER

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,589

Applicant(s)

SASMAZEL, LEVENT

Examiner

John Elmore

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 6, 7, 13, 18, 19 and 25 is/are rejected.
- 7) ☒ Claim(s) 2-5, 8-12, 14-17 and 20-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/20/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-25 have been examined.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1, 6, 7, 13, 18, 19 and 25 are rejected under 35 U.S.C. 102(e)** as being unpatentable over Allredge (US 2003/0046534).

Regarding claim 1, Allredge discloses a method for providing secure communications between two or more end units (user/sender and third party receiver) of the system via a communication switch (server 13) of the system (para. 0027 and 0052), the method comprising the steps of:

storing in a memory associated with the communication switch a plurality of sets of session key lists including a set of session key lists for each of the end limits (it is inherent that a plurality of users, each associated with a set of session key lists, constitutes a plurality of sets of session key lists, wherein 1st and 2nd sequences each denote a set of session key lists, defined herein as a plurality of session keys; para. 0024, 0025, 0059 and 0067);

selecting as an end unit to end unit session key a session key from a session key list in a given one of the sets of session key lists associated with an originating end unit,

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the selected end unit to end unit session key being utilizable in providing secure communications between the originating end unit and at least one other end unit via the communication switch (secure communication via server 13 between user and third party receiver using session key; para. 0033 and 0052).

Regarding claim 6, Allredge teaches all the limitations of claim 1, and further teaches that the set of session key lists for a given one of the end units (user) is supplied to the communication switch in encrypted form by that end unit as part of an authentication protocol carried out between that end unit and the communication switch (server 13) (2nd sequence provided to server by user; para. 0031).

Regarding claim 7, Allredge teaches all the limitations of claim 1, and further teaches that a first session key element of the set of session key lists is utilizable for providing secure communications between the given one of the end units (user) and the communication switch (server 13) subsequent to completion of the authentication protocol (para. 0032).

Regarding claims 13, 18 and 19, this is an apparatus version of the claimed method above (claims 1, 6 and 7). Therefore, for the reasons provided above, such claims also are anticipated.

Regarding claim 25, this is an machine-readable-storage-medium version of the claimed method above (claim 1). Therefore, for the reasons provided above, such a claim also is anticipated.

Allowable Subject Matter

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3. **Claims 2-5, 8, 9-12, 14-17 and 20-24 are objected to** as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 2 and 14, Allredge does not explain that the given one of the sets of session key lists is stored in the form of a data structure comprising at least a first session key element and a plurality of stack-based session key lists, each of the stack-based session key lists comprising a plurality of session keys associated with a particular terminal coupled to the originating end unit. Allredge teaches that a plurality of session keys associated with the originating end unit is stored at the communications switch (server 13) (para. 0023, 0024 and 0067) and that the key sequence acquired by a user comprises multiple sessions of communications between the user and a third party (para. 0059). But the prior art provides neither a reference to the use of a key element along with a stack or to a stack comprising a plurality of session key lists, wherein each list comprises a plurality of session keys associated with a terminal. Although it is widely known in the art to employ a stack as a means of storing data, it would not seem obvious to one of ordinary skill to modify Allredge to employ a stack of the particular complexity described above.

Regarding claims 8 and 20, the closest prior art, Allredge, does not explain that a particular one of the session key lists associated with a particular terminal coupled to the originating end unit is selected for use in providing secure communications for a call

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originating at the particular terminal. Allredge teaches that a session key is selected for secure communications for a call originating from an end unit (user), but does not explain a session key list associated with a terminal coupled to the end unit. Although Allredge discloses an end unit with a terminal coupled to it (service provider as third party recipient; para. 0052), it would not seem obvious to one of ordinary skill to modify Allredge to provide a session key list associated with a terminal coupled to the end unit because Allredge does not reference secure communications beyond the end unit to another party.

Claims 3-5 are allowable by virtue of their dependence on claim 2.

Claims 9-13 are allowable by virtue of their dependence on claim 8.

Claims 15-19 are allowable by virtue of their dependence on claim 14.

Claims 21-23 are allowable by virtue of their dependence on claim 20.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Naor et al. (US 6,275,573) discloses a method for secured end-to-end telephone communications via a communications switch.

Finkelstein et al. (5,410,602) disclose a method for secured end-to-end cellular communications via a communications switch.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Elmore whose telephone number is 571-272-4224. The examiner can normally be reached on M 10-8, T-Th 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on 571-272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JE

David Y. Jung
Primary Examiner

8/21/08
